

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:20-cv-372-MOC-WCM**

**MELVIN RICHARD ROBINSON, III,** )

**Plaintiff,** )

**vs.** )

**ORDER**

**PARDEE UNC HEALTHCARE,** )

**SOUTHEASTERN SPORTS** )

**MEDICINE AND ORTHOPEDIC,** )

**Defendants.** )

**THIS MATTER** is before the Court on its own motion following remand from the Fourth Circuit Court of Appeals. (Doc. No. 9).

Pro se Plaintiff Melvin Richard Robinson, III, a North Carolina resident, filed this action on December 14, 2020, naming as Defendants Pardee UNC Healthcare and Southeastern Sports Medicine and Orthopedic, alleging that Defendants violated Title III of the Americans with Disabilities Act (“ADA”). In support of his ADA claim, which he described as an “ADA Title 3 Communication Violation,” Plaintiff alleged the following in his original Complaint:

Dr. Guram, Dr. Rudins, and staff didn’t notify my law firm or representation of the major changes in my injury diagnosis resulting in tainted insurance claims and loss of Social Security Disability insurance while destroying my Social Security Disability Retirement benefits and leaving me with an untreated spinal and head injury. . . . [and] by not letting my law firm know of the major injury changes when I have concussion syndrome. I’ve lost over 20 years of Medicare services and my Social Security retirement is destroyed due to the doctors changing my injuries without using the proper chain of communication according to title 3 of the ADA; communication.

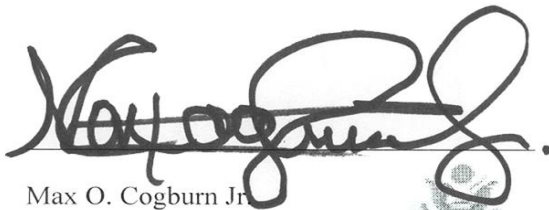
(Doc. No. 1 at 2). On initial review, this Court dismissed Plaintiff's Complaint without prejudice, finding that the factual allegations in Plaintiff's Complaint fail to state a cognizable claim for a violation of Title III of the ADA.

Plaintiff appealed. The Fourth Circuit Court of Appeals dismissed the appeal and remanded the case to this Court. In its remand order, the Fourth Circuit Court of Appeals instructed this Court to either allow Plaintiff to amend his Complaint or to declare that the prior dismissal was with prejudice. The Court will grant Plaintiff the opportunity to amend the Complaint.

Plaintiff will be granted 30 days from entry of this Order in which to amend the Complaint.

**IT IS SO ORDERED.**

Signed: June 18, 2021



Max O. Cogburn Jr.  
United States District Judge